

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRENCE FOSTER,

Plaintiff,

v.

CASE NO. 08-CV-10764
HONORABLE GEORGE CARAM STEEH

CATHY GARRETT,

Defendant.

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OPINION AND ORDER OF SUMMARY DISMISSAL

The Court has before it Plaintiff Terrence Foster's *pro se* civil rights complaint brought pursuant to 42 U.S.C. § 1983. Plaintiff is a state prisoner confined at the Mound Correctional Facility in Detroit, Michigan. At the time he filed his complaint, Plaintiff did not pay the required \$350.00 filing fee, nor did he submit a proper application to proceed without prepayment of the filing fee. *See* 28 U.S.C. § 1915(a)(2); *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997). Consequently, the Court issued a deficiency order on February 27, 2008 requiring Plaintiff to either pay the filing fee or submit a properly completed *in forma pauperis* application. The order provided that if Plaintiff did not submit the fee or the application to proceed without prepayment of the fee within 30 days, his case would be dismissed. Plaintiff has failed to correct the filing deficiency within the allotted time for doing so. Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** the civil rights complaint.

IT IS SO ORDERED.

Dated: April 7, 2008

S/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
April 7, 2008, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk